

Notice of Allowability

Application No.

09/944,652

Examiner

Joseph G. Ustaris

Applicant(s)

PRICE ET AL.

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment entered on 03/01/2007.
2. ☒ The allowed claim(s) is/are 1,6-9,12-14,19,24-27,30-32,37,41-44,47-49,54-57,60 and 61.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____



CHRIS KELLEY

SUPERVISORY PATENT EXAMINER

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Eric King on July 5, 2007.

The application has been amended as follows:

- In claim 19 lines 1-6, delete --A computer program encoded in a computer readable storage medium executable by a client terminal connectable to a video distribution system and a display device, the video distribution system provides program guide information to create a program guide that includes program listings and provides program rating data that is associated with rating sources, the computer program comprising code segments for:-- and replace with **"A computer readable storage medium encoded thereon with computer readable instructions executable by a client terminal connectable to a video distribution system and a display device, the video distribution system provides program guide information to create a program guide that includes program listings and provides program rating data that is associated**

with rating sources, the computer readable instructions comprising code segments for:"

- In claim 24 line 1, delete --The computer program of claim 19-- and replace with **"The computer readable instructions of claim 19"**.
- In claim 25 line 1, delete --The computer program of claim 24-- and replace with **"The computer readable instructions of claim 24"**.
- In claim 26 line 1, delete --The computer program of claim 19-- and replace with **"The computer readable instructions of claim 19"**.
- In claim 27 line 1, delete --The computer program of claim 26-- and replace with **"The computer readable instructions of claim 26"**.
- In claim 30 line 1, delete --The computer program of claim 19-- and replace with **"The computer readable instructions of claim 19"**.
- In claim 31 line 1, delete --The computer program of claim 30-- and replace with **"The computer readable instructions of claim 30"**.
- In claim 32 line 1, delete --The computer program of claim 19-- and replace with **"The computer readable instructions of claim 19"**.

Allowable Subject Matter


2. Claims 1, 6-9, 12-14, 19, 24-27, 30-32, 37, 41-44, 47-49, 54-57, 60, and 61 are allowed.

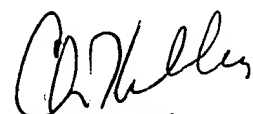
Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph G. Ustaris whose telephone number is 571-272-7383. The examiner can normally be reached on M-F 7:30-5 PM; Alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher S. Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


JGU
July 5, 2007


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